

) Supreme Court No.
) 49S00-1005-OR-232
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) Tax Court No.
) 49T10-0909-TA-55

ORDER

Relators, by counsel, filed application papers seeking relief under the Rules of Procedure for Original Actions, including a Verified Petition for Writ of Mandamus and Prohibition. Briefs opposing Relators' petition have been filed.

Also filed have been four motions: Relators' Motion to Substitute Exhibits; Relators' Motion to File Reply Brief; Motion of LaPorte County Taxing Units to Appear and File Brief in Opposition to Issuance of Permanent Writ; and the City of LaPorte's Motion to Appear as Amicus Curiae. The Court GRANTS these four pending motions. The Clerk is directed to allow substitution of exhibits as requested in the Relators' motion to substitute exhibits and to show the amici briefs and Relators' reply brief filed as of their date of tender.

Each member of the Court has had an opportunity to review the materials filed in this original action. All five Justices have voted to deny the writ. Accordingly, the Court DENIES Relators' petition for writ of mandamus and prohibition. Motions to reconsider or petitions for rehearing are not allowed. Ind. Original Action Rule 5(C).

The Clerk is directed to send a copy of this order to the Hon. Thomas G. Fisher, Indiana Tax Court; Mark Giaquinta and Melanie Farr, 444 E. Main Street, Fort Wayne, IN

46802; Philip Whistler, One American Square, Box 82001, Indianapolis, IN 46282; Mark Richards and Jenny Wright, One American Square, Suite 3100, Indianapolis, IN 46282; Gregory F. Zoeller, Andrew Swain, John Snethen, and Andrew Asma, 302 W. Washington Street, IGCS-5th Floor, Indianapolis, IN 46204; Beth Henkel, 6178 N. Oxford Street, Indianapolis, IN 46220; and Thomas Atherton, David Suess, and Suzanna Hartzell-Baird, 111 Monument Circle, Suite 2700, Indianapolis, IN 46204. The Clerk is also directed to post this order to the Court's website.

Done at Indianapolis, Indiana, this 18th day of June, 2010.

FOR THE COURT

Randall T. Shepard
Randall T. Shepard
Chief Justice of Indiana

All Justices concur.